

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**Lamarr Wagner,**

*Plaintiff,*

**v.**

**Case No. 3:24-cv-266**

**District Judge Thomas M. Rose**

**Magistrate Judge Caroline H. Gentry**

**Calvin1 LLC,**

*Defendant.*

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**ENTRY AND ORDER ADOPTING REPORT AND  
RECOMMENDATION (ECF 6), DISMISSING WITHOUT PREJUDICE  
FOR FAILURE TO PROSECUTE, AND TERMINATING CASE.**

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This matter is before the Court on Magistrate Caroline H. Gentry's Report and Recommendation of February 5, 2025. (ECF 6). The Report and Recommendation is unopposed. Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. (ECF 6, PageID 50 (citing *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981))).

The Court has reviewed the findings of the Magistrate Judge and, pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), this Court has made a *de novo* review of the record in this case.

The Court **ADOPTS** the Report and Recommendations (ECF 6) in its entirety. Plaintiff's Complaint (ECF 1) is **DISMISSED** without prejudice for failure to prosecute. The

instant case is **TERMINATED** from the docket of the United States District Court, Western Division at Dayton.

**DONE** and **ORDERED** in Dayton, Ohio, this Friday, March 7, 2025.

**s/THOMAS M. ROSE**

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE